

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE BOARD OF TRUSTEES OF THE
AMERICAN FEDERATION OF MUSICIANS AND
EMPLOYERS' PENSION FUND,

Plaintiff,

- against -

KAREN BANOS,

Defendant.

JOHN G. KOELTL, District Judge:

The Court has reviewed the Report and Recommendation of Magistrate Judge Parker dated May 24, 2019, pursuant to an inquest on damages following a finding of this Court that the plaintiff is entitled to a default judgment. No objections to the Report and Recommendation have been filed and the time for filing such objections has passed. In any event, the Court finds that the Report and Recommendation are well founded and should be adopted. Therefore, the Report and Recommendation are adopted.¹

In accordance with the Report and Recommendation, the Clerk is directed to enter judgment in favor of the plaintiff and against the defendant as follows: (1) a monetary judgment in the

¹ The Report and Recommendation recommend a liquidated damages award of \$2,294.12 after correctly calculating the liquidated damages to be \$2,992.07. However, the Magistrate Judge correctly used the \$2,992.07 amount in calculating the total damages awarded to the plaintiff.

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18-cv-4250 (JGK)


ORDER

amount of \$59,543.45,² plus interest at the rate of \$3.08 per day for each day after May 24, 2019 until the date judgment is entered; and (2) an order to the defendant to submit to the plaintiff the documents sought in the plaintiff's original audit demand dated December 6, 2017.

The Clerk is directed to close this case and to close all pending motions.

SO ORDERED.

**Dated: New York, New York
June 11, 2019**



**John G. Koeltl
United States District Judge**

² The Report and Recommendation recommend \$59,531.13 in damages to the plaintiff plus interest. However, the plaintiff should be awarded \$59,543.45 plus interest, which accounts for \$14,960.31 in delinquent contributions, \$2,306.44 in accrued interest, \$2,992.07 in liquidated damages, and \$39,284.63 in attorneys' fees and costs.